



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No. 09/118,730
Filed: July 17, 1998
Inventors: Ellington M. Beavers et al
Title: METHOD OF MAKING FREE ACIDS
FROM POLYSACCHARIDE SALTS
Examiner: E. White
Art Unit: 1623
File No.: 281-28

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JUN 24 2004

OFFICE OF PETITIONS

#22

REQUEST FOR CORRECTION OF ENTITY STATUS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants have determined that small entity status, claimed in the above-identified application, may not have been proper. Applicants therefore withdraw their claim of small entity status, and request that the error be corrected as of the filing date of the application, under 37 CFR §1.28(c).

Although the present application is not explicitly mentioned in any license, it has come to Applicants' attention that an existing license agreement could be interpreted to include the present application. Also, it came to Applicants' attention that the licensee in the above-mentioned agreement has more than 500 employees.

Therefore, in the interest of caution, Applicants hereby withdraw their claim of small entity status, as of the application filing date.

Applicants' initial claim of small entity status was made in good faith, and without any intent to deceive.

As required by 37 CFR 1.28(c)(2)(ii), the following is an itemization of the fees paid, and showing the deficiency due.

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Itemization

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Type of Fee	Small Entity Fee Actually Paid	Large Entity Fee Currently Due	Deficiency
Basic statutory filing fee (3 independent claims; 23 total claims)	\$428.00 (paid 11/12/98)	\$824.00	\$396.00
Surcharge for late filing of Declaration	65.00 (paid 11/12/98)	130.00	65.00
Extension of time (one month)	55.00 (paid 11/12/98)	110.00	55.00
Extension of time (one month)	55.00 (paid 7/16/99)	110.00	55.00
Extension of time (two months)	190.00 (paid 2/17/00)	420.00	230.00
Notice of Appeal	150.00 (paid 3/17/00)	330.00	180.00
Filing of brief on appeal	150.00 (paid 5/18/00)	330.00	180.00

The total deficiency owed is therefore \$1161.00. Attached is a Credit

Card Payment Form (PTO Form 2038), authorizing payment of this amount.

Applicants request that the error in claiming small entity status be excused, and that the status of the application be corrected to large entity.

Respectfully submitted,

William H. Eilberg

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Attorney for Applicants

I HEREBY CERTIFY THAT THIS CORRESPONDENCE
IS BEING DEPOSITED WITH THE UNITED STATES
POSTAL SERVICE AS FIRST CLASS MAIL IN AN
ENVELOPE ADDRESSED TO: COMMISSIONER FOR
PATENTS, P. O. BOX 1450, ALEXANDRIA, VA
22313-1450, ON THE DATE INDICATED BELOW.

BY *William H. Eilberg*

DATE *6/15/04*